REGIONAL ORGANIZATIONS IN CONFLICT MEDIATION: LESSONS OF EXPERIENCE & COOPERATION WITH THE UNITED NATIONS

Report of the Third and Fourth Meetings of Regional, Subregional and other International Organizations on Preventive Diplomacy and Mediation

Cairo, 5-6 February 2014, hosted by the League of Arab States
Brussels, 5-6 May 2015, hosted by the European Union

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1. Preface – About the Report

This report focuses on key issues discussed during the third and fourth meetings of Regional, Subregional and other International Organizations on Preventive Diplomacy and Mediation hosted respectively by the League of Arab States (LAS) in Cairo on 5-6 February 2014, and the European Union (EU) in Brussels on 6-7 May 2015. Given the continuity between the two meetings, the co-organizers have produced a joint report.

Both meetings were co-organized by the United Nations (UN) and the LAS and the EU respectively, in collaboration with the Organization for Security and Co-operation in Europe (OSCE) and the Organization of Islamic Cooperation (OIC), as part of a common effort to strengthen cooperation and knowledge-sharing on peace mediation in accordance with the *UN Guidance for Effective Mediation.* The common thread of discussions focused on a key principle of the UN Guidance: Coherence, Coordination and Complementarity (CCC) in mediation processes, with particular focus on contexts in which one or more regional organizations are involved. The Cairo meeting also addressed the issue of Inclusivity, while the Brussels meeting included a specific focus on CCC in ceasefire mediation. Both meetings provided input in key UN mediation documents, the Cairo meeting into UN General Assembly Resolution 68/303 (2014), and the Brussels meeting into the upcoming UN Secretary General report on cooperation between the UN and regional organizations.[1]

Both meetings brought together senior experts from international, regional, and subregional organizations engaged in mediation processes and benefited from inputs and facilitating assistance from members of the UN Standby Team of Mediation Experts and the UN Academic Advisory Council on mediation. The co-chairs of the Group of Friends of Mediation, Turkey and Finland, participated in both meetings. Spain and Morocco took part in the Cairo meeting as leaders of the Initiative on Mediation in the Mediterranean, as did Switzerland in its capacity as OSCE Chair-in-Office.

Discussions were held under the "Chatham House Rules". The report does not reflect the official views of the LAS, OIC, OSCE, EU, the UN or any other organization present

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1   Published since, as: "Cooperation between the United Nations and regional and subregional organizations on mediation", 19 August 2015, A/70/328

during the meetings, nor was it consensually agreed. Rather it is provided for information and as support for further reflection and debate.

The co-organizers:

The European Union (EU) is a unique economic and political partnership between 28 European countries that together cover much of the continent. The very foundation of the EU lies in efforts to overcome divisions and promote peace. In 2009 the Member States agreed on the "Concept on strengthening EU Mediation and Dialogue Capacities", reflecting their vision of mediation as an important EU foreign policy tool. The creation of the European External Action Service (EEAS) has made it possible to use mediation in a more systematic way as an efficient and cost-effective instrument to prevent and resolve conflict. To this end an EU Mediation Support Team was established in 2011 with the aim to put the relevant infrastructure in place to respond rapidly to conflict situations by offering support to EU mediation actors as well as others involved in mediation efforts around the world. The EU has engaged in mediation in notable cases such as the Aceh peace process, the Geneva International Discussions on Georgia, and the Pristina-Belgrade Dialogue; it also plays a supportive role in many current peace processes, including in Mali, South Sudan and Myanmar.

The League of Arab States (LAS) is the oldest regional organization in the world, now counting 22 nations in and around North Africa, the Horn of Africa and Arabia. The LAS provides a forum for Arab states to debate and coordinate policy positions on matters of common concern, both in relation to conflict risks among themselves and with their neighbors. The LAS has been particularly engaged over the years in the search for solutions to the Arab–Israeli conflict. In the more recent past, its role in the peaceful settlement of disputes has significantly evolved and diversified. For example, the LAS was at the forefront of efforts to prevent conflict escalation in Syria in 2011, an objective that has since eluded the international community. LAS deployed an observing mission to Syria in 2012 in an attempt to realize a regional political settlement. In regions of North Africa, the Horn, and the Sahel involving its Member States, the LAS has been increasingly working in partnership with the African Union as the latter has been taking a more active role in conflict prevention through mediation and dialogue. The LAS is collaborating with partners, including the United Nations, the European Union and the World Bank, to develop its own conflict assessment and conflict resolution capacity in support of future

mediation efforts. LAS has been discussing the establishment of new mechanisms, such as the Arab Peace and Security Council and the Arab Joint Force, to deal with security issues in the Arab countries. Given the situation in some Arab countries, LAS has been planning also, in collaboration with the EU, to acquire operational capabilities with the aim of assisting its member states in different phases of the crises.

The Organization of Islamic Cooperation (OIC) is one of the largest inter-governmental organizations after the UN, with a membership of 57 States spread over four continents. The Organization endeavors to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various peoples of the global community. Originally named the Organization of the Islamic Conference, it was established pursuant to a decision adopted at a summit in Rabat, Morocco, in 1969. The Organization has consultative and co-operative relations with the UN and other inter-governmental organizations to protect the vital interests of the Muslims and to work for the settlement of conflicts and disputes involving Member States.

The Organization for Security and Co-operation in Europe (OSCE), with 57 participating States from Europe, Central Asia and North America, is the world's largest regional security organization, bringing comprehensive and co-operative security to a region that stretches from Vancouver to Vladivostok. It offers a forum for political negotiations and decision-making in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation, and puts the political will of the participating States into practice through its unique network of field operations and its institutions. The OSCE has been directly involved in conflict resolution in Eastern Europe, the Caucasus, Central Asia and South-Eastern Europe. The OSCE traces its origins to the détente phase of the early 1970s, when the Conference on Security and Co-operation in Europe (CSCE) was created to serve as a multilateral forum for dialogue and negotiation between East and West.

The United Nations Department of Political Affairs (UNDPA) is the lead UN operational actor for conflict prevention, peacemaking and peacebuilding. As part of its core mandate, DPA monitors and assesses global political developments with an eye to detecting potential crises before they escalate and devising effective responses. DPA is the operational arm of the Secretary-General's good offices, providing close support to UN envoys as well as to political missions deployed to areas of tension around the world with mandates to help defuse crises and promote lasting solutions to conflict. With the support of Member States, DPA has become a more mobile, agile and field-oriented platform for

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preventive diplomacy and crisis response, including mediation, capable of rapidly deploying mediators and other peacemaking expertise to the field and co-operating more closely with international and regional organizations at the frontline of conflicts. The Mediation Support Unit in the Policy and Mediation Division of DPA is the hub for mediation support in the UN system and a service provider to a wide range of actors, including the UN, regional organisations, Member States and relevant peacemaking entities.

2. Introduction

Recent years have brought an increase in the use of mediation as a tool of collective security, both to manage crisis in the short-term and to work towards conflict resolution in the long-term. In this context, regional, subregional and other international organizations,[2] along with the UN, are playing an increasingly critical role. Recognizing the benefits of common approaches and cooperation, the need to avoid harmful competition, and the value of exchanging experiences, regional organizations and the UN initiated a structured consultation process in 2010.

As part of this process, four meetings have been held, successively hosted by the Organization for Security and Co-operation in Europe (OSCE) in Vienna in 2010, the Organization of Islamic Cooperation (OIC) in Jeddah in 2012, the League of Arab States (LAS) in Cairo in 2014, and the European Union (EU) in 2015 in Brussels. The present report focuses on key issues discussed during the Cairo and Brussels meetings. The Vienna and Jeddah meetings are covered by earlier reports.

Complementarity, coordination and coherence (CCC), one of the core fundamentals of the *UN Guidance for Effective Mediation*, was at the center of both the Cairo and Brussels agendas, with a particular focus on contexts involving one or more regional organizations. The Brussels consultation brought valuable additions to the Cairo outcomes in the form of detailed contributions borne out of the broader experiences shared by the participants. Besides this common core, both meetings included specific foci: in Cairo, inclusivity, another fundamental of the *UN Guidance*, and in Brussels the specifics of CCC in a particularly difficult domain, ceasefire mediation. The Brussels meeting also included a session, opened to a broader audience, on the guidance recently published by DPA-UNEP on *Natural Resources and Conflict: A guide for mediation practitioners.*

In addition to their value for participants in terms of information-sharing and common learning, both meetings aimed to generate ideas for UN documents including UNGA Resolution 68/303 (2014) and the UN Secretary-General report on cooperation between the UN and regional and subregional organizations on mediation, mandated by the resolution and presented to the UN General Assembly (UNGA) in its 70th session in September 2015.

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2   For the sake of readability, the present report uses the designation "regional organizations" to cover all those organizations.

3. Background

3.1. UNGA Resolutions and UN Guidance for Effective Mediation

UNGA Resolution 65/283 (2011), entitled "Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution" profiled the importance of mediation as a conflict prevention tool and emphasized the importance of the partnership and cooperation of international, regional and subregional organizations with the UN, and with each other, in order to ensure the coherence and complementarity of mediation efforts; it also noted the value of developing appropriate capacities and structures, inviting regional actors to pursue efforts in capacity development.

Resolution 65/283 also requested the Secretary General, in consultation with Member States and other relevant actors, to develop guidance for more effective mediation. The *UN Guidance, issued in 2012, sets important international standards around eight core fundamentals:* **preparedness; consent; impartiality; inclusivity; national ownership; international law and normative frameworks; coherence, coordination and complementarity; and quality peace agreements.** It is intended as a resource for mediators, States and other actors supporting mediation efforts, but is also relevant for conflict parties, civil society and other stakeholders. UNGA Resolution 66/291, adopted in 2012, strongly encouraged the use of the *UN Guidance* by all actors involved in mediation.

Reflecting the growing role of regional arrangements in the global security architecture in general, and in mediation in particular, in accordance with Chapter VIII of the UN Charter, UNGA Resolution 68/303, adopted in 2014 included a strong emphasis on UN and regional efforts, stressing the need to develop partnerships, share information, put in place coordination mechanisms to ensure the coherence and complementarity of efforts, and hold regular dialogues to exchange views, information and lessons-learned. It also encouraged regional organizations themselves to develop their own capacity in mediation.

3.2. Group of Friends of Mediation

The Group of Friends of Mediation plays a key role in promoting UN engagement in mediation both on the normative front and in practice. The Group was launched by the foreign ministers of Turkey and Finland in 2010 as part of their 'Mediation for Peace' initiative. Since its inception, it has steadily grown. It now encompasses 40 States as well as seven regional organizations and the UN. Taking into account its success, the model has been replicated in some regional organizations: in 2014, a Group of Friends of Mediation was established in the EU (co-chaired by Finland and Spain) and in the OSCE (co-chaired by Switzerland, Finland, and Turkey).

3.3. Fostering Collaboration among Regional Organizations in Mediation

The practice of bringing together UN and regional, subregional and other international organizations to discuss preventive diplomacy and mediation dates back to the UN Secretary General's Retreat with Heads of regional organizations in January 2010 in New York. This was followed by the two-day workshop on *Preventive and Quiet Diplomacy, Dialogue Facilitation and Mediation – Best Practices from Regional Organizations,* organized by the OSCE in December 2010, which inaugurated the series of consultations, of which the Cairo and Brussels meetings were respectively the third and fourth iterations. The large participation in the Brussels meeting, bringing together some 50 representatives from 16 organizations from four continents (Europe, Asia, Africa, the Americas) testifies to the growing recognition of the value of such consultations.

The four meetings from Vienna to Brussels have both built upon, and fostered the implementation of UNGA resolutions on mediation, drawing on the growing body of experience of regional organizations working independently but also increasingly as part of multiparty peace processes involving other international or regional organizations along with a wide range of actors including Governments and Civil Society Organizations (CSOs). A body of common learning is emerging, to which the present report contributes, in particular as regards:

- The specific practice of the UN and regional organizations in mediation and the particular challenges they face;

- UN and regional organizations' experience in cooperating with one another and with other actors in mediation contexts;

- Mechanisms, tools and capacities underpinning UN and regional organizations in mediation, including mutual support in the field.

4. Leadership in mediation processes

Leadership in mediation processes was an important theme in both meetings. In Brussels, the discussion was usefully introduced by the presentation of two examples, one bringing into play a large range of actors in a somewhat open process characterized by many mediation initiatives – at times complementary, at times competing – undertaken by different actors and featuring a lead mediator; and the other featuring a limited number of well-defined actors working as co-leaders in a much more structured process. The following points stood out of the presentations, discussions, as well as the next day's working groups:

- **Is a lead mediator needed?** Participants agreed that in most cases there is a need for a lead mediator, given the large number of mediation actors in most contemporary peace processes. The lead mediator is necessary to develop one coherent strategy, to coordinate efforts and keep the process on track; for this, he/she needs to have continuity over time. However, in some cases, mediation involving actors on an equal footing may be more suitable. This is the case when mediation contributes to stabilizing conflict situations, providing a framework where key actors meet and discuss technical issues (ceasefire monitoring, refugee issues, etc.), thereby maintaining open communication lines and preventing the resumption of violence. Participants also pointed to the need for mediation structures to evolve over time, with a lead mediator being particularly important at the pinnacle of the conflict cycle, whilst the value of this role decreases or even disappears as the situation stabilizes and mediation needs are at a lower level, often more sector-specific (i.e. related to DDR, the resettlement of refugees, security agreement monitoring, etc.); these may be better handled by lead organizations in dedicated areas.

- **What should be the profile of the lead mediator?** In a number of recent processes, the lead mediator has been an acting Head of State.[3] In this context, participants recognized the potential benefits that a mediator at the highest level carries,

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3 E.g. President Compaoré of Burkina Faso for Mali in 2011-2012; President Sassou Nguesso of Congo in CAR in 2013-2014; President Museweni of Uganda for Burundi in 2015-2016.

especially if he/she comes from the region. He/she can lend to the process additional legitimacy, outreach to influential neighbors, and the weight of leverage with the parties. At the same time, they pointed out some of the disadvantages of such a model, in particular:

– The fact that neighboring countries are rarely neutral or perceived as neutral, which is detrimental to the acceptance of their role by the parties;

– High-level political figures may be influent and be well-versed in negotiations, but they may lack knowledge of specific aspects of mediation and the breadth of themes to be taken into account in a peace process (from process design to thematic issues, such as constitutional reform, resource-sharing, justice reform, etc.). Accordingly, participants recommended that the lead mediator be provided with the support of a senior advisor and/or a team of technical advisors. This also applies where a Head of State is relayed in day-to-day interaction with the parties by a senior ranking official. Participants pointed to the importance of convincing high-level politicians of the need for such support.

An alternative may be to call upon a former Head of State, who still has influence over key conflict actors, but will nevertheless appear as more neutral to the parties, have more time available, and is also more likely to accept or seek the advice of a technical mediation support team.

• **How should a lead mediator be chosen?** Participants recognized that the answer to this question is different depending on the level of the lead mediator. Should he/she be a Head of State, he/she is usually chosen via a mostly informal process of consultations among the Member States of the organization taking the lead, primarily on the basis of political considerations. Should he/she be an institutional representative – e.g. envoy of the UN Secretary General or of the President of the AU Commission – his/her appointment will go through a somewhat more formal process. In the latter case, participants pointed out that not only should the balance of interests and views among the Member States of the sending institutions be taken into account, but also the acceptability of the lead mediator by the parties. Cultural sensitivities and, of course, language, are also to be considered. Thus, in cases in which the lead mediator comes from outside the conflict region, it is important that his/her support team include advisors sufficiently attuned to local

cultural specificities and values. Participants also highlighted the heavy time input demanded from mediators in interacting with the parties and acquiring an in-depth understanding of key issues. Having a single person serve as lead mediator in several parallel processes should be as much as possible avoided, especially if the mediator assumes high level national responsibilities at the same time.

- **Lead mediator and leverage:** High level lead mediators generally have political leverage. However, they may not have equal leverage with all the parties, nor the financial or military resources to back up this leverage. Consultations and coordination at the highest political level of influential States is therefore necessary to ensure that the leverage of those States, as well as of the international institutions in which they have weight (World Bank, NATO, European Union, etc.), is brought to bear.

- **Supporting mediation leaders**: In a number of situations, the lead mediator's capabilities will be limited. His/her own capacity, as well as that of his/her team needs to be strengthened, sometimes at the same time as they undertake the mediation process. Generally, this support will come through the provision of additional expertise and financial resources by external mediation partners. A clear distribution of roles is then needed to ensure that the political leverage of the lead mediation entity is appropriately backed up by the required technical knowledge, financial resources, and security guarantees provided by other actors if needed. At the institutional level, capacity-building must be an ongoing process, whereas in mediation interventions, CCC and capacity-building often go hand in hand. Tools to reinforce the capacity of the mediator and his team are illustrated in the box below.

Capacity-building Support to lead mediators

Tools to support lead mediators include, among others:

- Technical workshops targeting their advisory teams, ideally at the process design stage;
- Secondments (from other institutions) or technical advice programs (via the dispatch of independent experts) including a mentoring component;
- Participation of experts from other organizations in activities supporting the mediation process (e.g. ceasefire monitoring, human rights monitoring);
- In a longer term perspective of providing permanent support to lead mediators, the setting up of mediation support structures in regional and international organisations (such as the UN Mediation Support Unit or the EU Mediation Support Team).

5. Coherence, Coordination and Complementarity (CCC)

The *UN Guidance for Effective Mediation* states that "the increasing number and range of actors involved in mediation makes coherence, coordination and complementarity of mediation efforts both essential and challenging." Moreover, it posits that the diversity of mediation actors "can be an asset, as each actor can make unique contributions at different stages of a mediation process. But multiplicity also risks actors working at cross-purposes and competing with each other." The Cairo meeting highlighted a number of situations where tensions between mediation actors had openly came to the fore, seriously undermining the process. Such situations allow the parties to turn to an alternative mediator when faced with tough decisions; competition also fosters inconsistent messaging and undercuts a coherent mediation strategy. There is therefore a need to avoid competition and ensure fruitful cooperation and coordination between mediators. To do so, various strategies and formats exist, which participants illustrated and reflected upon in both meetings.

- **The Starting point: there is no blueprint for dialogue and mediation structures.** Each mediation set-up must be tailor-made, calling upon the creativity of sponsors of the peace process. Accordingly, coordination mechanisms need to be tailored to the specific context, taking into account the different mediation actors involved and the issues at hand. The Geneva International Discussions (GID) on Georgia were mentioned as a creative illustration. The set-up combines a structured process (dedicated co-chair structure composed of OSCE, EU and UN) with a flexible format, enabling entities with a contested status to participate in the talks. Therefore, in the GID working groups, each participant is present in his/her own personal capacity, without any nameplates designating countries, entities or institutions; thus, a modicum of dialogue can be maintained on technical issues (humanitarian, security, etc.) regardless of disagreements on core political issues.

Successful examples of coherence and complementarity in mediation processes

- 'Algiers process' in Mali: the process was a multi-party mediation led by a single actor, Algeria, supported by a group of national and international actors, including the UN and the EU. The mediation structure has been mirrored by the peace agreement implementation structure, the *'Comité de suivi de l'accord'* (CSA);
- UN-Organization of American States' cooperation on the political dialogue in Paraguay: while the OAS facilitated talks between high-level representatives of the different political forces, UNDP provided technical support to the dialogue process;
- LAS-OIC division of labor in several conflicts involving the Shia-Sunni divide: in such conflicts, the LAS usually works on the political dimension, while the OIC covers the religious aspects of the mediation process.

The following specific aspects of CCC were addressed in one or both meetings:

- **Cooperate and coordinate with whom?** The focus of both meetings was on CCC among international, regional and subregional organizations. However, mediation processes often involve a much wider range of actors, including civil society, other organizations not directly implicated in the management of the crisis, but which may be important for sustainable peace (e.g. international financial institutions, security institutions, etc.), as well as the Member States of the organization(s) driving the peace process. The Brussels discussions addressed specifically cooperation among Member States.[4] Most institutional participants around the table had experienced the challenges of aligning and coordinating Member States' endeavors or positions in peace processes. Those endeavors or positions are often complex, they present important nuances according to the context, and they evolve over time. In addition, in some cases, Member States of the mediating organization are close to one of the parties in the conflict, even openly supporting it. Whilst conceding that these aspects are difficult and sensitive, participants committed to making engagement with Member States a key area of future work.

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4 Cooperation between the UN, regional organizations and civil society in peacebuilding, including mediation, had just been the focus of a dedicated meeting co-organized by the UN and the OSCE in Vienna in April 2015.

A tangential, but concrete intricacy of the interplay between institutions and their Member State was highlighted. Sometimes, mediation processes bring together actors represented at the institutional level (i.e. Secretariat), which have the benefit of greater stability, and institutional chairs, which are generally rotating. Rotating chairs' representation brings challenges in terms of ensuring institutional memory and continuity of engagement. One possible remedy is for successive chairs to co-ordinate the appointment of special representatives.

Cooperation with civil society was mainly addressed by participants in the Cairo meeting, primarily from the perspective of inclusivity (see section below). The value of the Mediation Support Network (MSN),[5] which brings together the main mediation NGOs and the UN, was also highlighted.

- **Cooperate and coordinate at what level?** CCC must exist at the highest political/strategic level, at the operational level (see box below), but also on program implementation. The latter aspect is sometimes insufficiently taken into account. This implies the need to factor in international NGOs, which sometimes play an important role in supporting peace processes – as most MSN members do – and their donors.

Tools to underpin CCC among organizations

A variety of tools may strengthen inter-organizational CCC in mediation. They include:

- **At the political level:**
  – regular meetings between, and/or joint visits of conflict countries by crisis management bodies, i.e. UN Security Councilt and AU Peace and Security Council, UN Security Council and EU Political and Security Committee
  – mutual consultations on the choice of lead mediators

5 http://mediationsupportnetwork.net/

COHERENCE, COORDINATION AND COMPLEMENTARITY

- **At the operational level:**
  - mediation coordination structures to accompany the peace process, such as the International Contact Group in CAR since May 2013, the Algiers process in Mali since September 2014, the "IGAD-plus" mechanism in South Sudan since March 2015
  - joint fact-finding missions to develop the common analysis necessary to underpin coordinated action
  - Periodic technical-level (desk-to-desk) consultations reviewing developments and initiatives in a range of conflict situations. Such mechanisms already exist between many of the organizations involved in mediation

- At the **implementation level,** joint programming among large international NGOs, their donors, and major UN agencies for the benefit of conflict parties or lead regional organizations undertaking mediation

- **Institutional tools:**
  - Staff secondments among regional organizations, or between them and the UN
  - Work plans to define cooperation terms between mediation-support units of different institutions
  - Common capacity-building programs
  - Developing shared analysis and practices tools when possible (e.g. the joint EU-UN conflict analysis exercise of 2014 on CAR)
  - Regular meetings at leadership level (e.g. UN Secretary General annual retreat with heads of regional organizations) or at technical level (senior expert meetings of the Vienna/Jeddah/Cairo/Brussels series)

- **Cooperate and coordinate on what?** CCC cannot be approached only as a technical issue. Prior to agreeing practical solutions and approaches, there is a need to agree on a common vision. This is highly political and includes a common understanding of what the core conflict issues are, and with whom peace should be negotiated. The latter point, in particular, deserves attention, as divisions in this regard often lead to fragile peace processes or fragile agreements. The issue is complex as it is connected to that of the legitimacy of the conflict parties both vis-à-vis their

domestic supporters and international stakeholders, as today's conflicts ranging from CAR to Libya, Syria or Mali demonstrate. There is also a need to agree on sequencing different issues in peace processes. This refers to questions, such as: When should a transitional justice process start? Should the full respect of the ceasefire be a precondition for moving to the next phase of the peace negotiations? When should elections be organized? In the rush to respond that often accompanies the outbreak of conflict, there is a risk that different actors start working in parallel on different tracks, or on the basis of different assumptions. Complete agreement on vision is seldom possible at the outset of peace efforts, as there is often a need to act quickly in some areas (e.g. security-related aspects). Thus, achieving commonality of aims is usually an iterative process, which, however, needs to start as early as possible and requires much nurturing over time. This being said, a common vision and effective coordination of the mediation endeavor are necessary, but sometimes insufficient conditions of success.

- **CCC and the time factor**: The time factor is essential in peace processes and comes into play in different manners.

  – One is related to the challenge of synchronizing the rhythm of international actors with that of the countries in conflict. The parties may not be ready to withdraw from the battlefield and even where the popular aspiration for peace is strong, local communities and groups need time to reconcile. For example, in the process of national consultation carried out in early 2015 in CAR, local communities insisted that they be given time to "achieve peace of the heart" before they could agree to specific solutions.

  – Second, there is the challenge of sustaining efforts sometimes over extended periods when peace, although signed, appears fragile. Burundi was mentioned in this regard, where the Arusha accords seemed to work well for 12-13 years, until underpinning tensions began rising again. This raises difficult questions: How do we assess that peace is sufficiently stable to decrease external involvement? How long can countries and institutions, always in a situation of resource scarcity and confronted with many competing demands, maintain their attention? How can a post-conflict sovereign government be convinced that active and coordinated engagement of the international community is beneficial even long after the peace agreement has been signed?

– Third, there is the more technical challenge of adapting the international peace support architecture over time, both to incorporate other actors, in particular reconstruction and development institutions, and to gradually transfer responsibilities to national actors (possibly including the construction of a national peace infrastructure). This requires another type of CCC, with a different set of actors and the redistribution of lead roles. Depending on the case, accompanying structures may be light, e.g. international contact groups, or keep assuming key roles for a period of time, e.g. UNMIK in Kosovo[6] between 1999 and 2008.[7]

• **The central role of communication in CCC:** Participants in the Brussels meeting agreed that, whatever the model, information-sharing was an essential condition of CCC in mediation processes. Information must be shared to ensure the effective conduct of the mediation process, but also because it is essential to create trust among the organizations involved. Such trust is also a disincentive for conflict parties to exploit divisions among the sponsors of the peace process. An important communication tool in mediation contexts are briefings by the lead mediator to participating institutions as well as to key decision-making structures, in particular the UN Security Council, the AU Peace and Security Council, or the OSCE Permanent Council. Such briefings should be as inter-active as possible so as to also inform the lead mediator of the positions of key actors. The need was also further pointed out for information-sharing with organizations that may not be directly involved in mediating the peace, but have activities in domains closely related to the dialogue agenda, such as democracy-building and human rights.

• **The specific role of the UN**: Participants in both meetings recognized that both the UN and regional organizations have essential assets as mediators: the latter have the advantage of proximity, strong local networks, intimate knowledge of the context and the actors, and their membership usually includes influential regional powers. The UN is at the center of the Charter's system of peace and security; it has a global

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6 All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.

7 UNMIK (United Nations Mission in Kosovo) had an executive mandate and was initially composed of 4 pillars: Pillar I: Humanitarian Assistance, led by the UN High Commissioner for Refugees (UNHCR); Pillar II: Civil Administration, under the UN; Pillar III: Democratisation and Institution Building, led by the OSCE, and Pillar IV: Reconstruction and Economic Development, managed by the EU. The structure evolved over time, with the dismantling of the humanitarian pillar in 2000 and a gradual transfer of rule of law responsibilities from the UN to the EU mission EULEX Kosovo.

membership as well as vast experience in mediation and strong capacities in supporting mediation efforts. In this regard, there was broad agreement that invoking overarching principles – such as primacy and subsidiarity – was not of much benefit, and that the division of labor between the UN and regional organizations should be decided on a case-by-case basis. The main challenge is to ensure that the comparative advantages of all mediation actors are maximized and at the same time sufficient resources – human, financial, operational – made available to sustain the process, through to implementation, often over several years. In this context, participants in the Brussels meeting saw an advantage in the UN being the default coordinator, even if it was not the lead mediator. This is because of its larger capacity, broader legitimacy, and outreach to a large number of actors. This, however, did not prevent a distribution of leadership in operational roles among other institutions, e.g. as was done in Kosovo at the time when the Troika made up of the UN, the OSCE and the EU shared responsibility for the political stabilization and economic restoration of the region, whereas NATO was the central security insurance provider (1994–2008).

6. Inclusivity

The *UN Guidance for Effective Mediation* defines inclusivity as "the extent and manner in which the views and needs of conflict parties and other stakeholders are represented and integrated into the process and the outcome of a mediation effort." The UN Guidance also clarifies that inclusivity is not primarily about 'who gets a seat at the table', i.e. who participates in formal negotiations. Rather, it is about the overall process in terms of how mediators interact with various stakeholders in conflict societies.

- **Why is inclusivity important in mediation?** It is important because who participates influences the configuration, the dynamics and ultimately the outcome of peace negotiations. It is also important because the sustainability of peace agreements depends on whether they are seen as legitimate, not just by the main conflict parties, but by society more broadly. Moreover, to address the root causes of conflicts, it is important that the interests and needs of all stakeholders, including vulnerable groups, are taken into account. This is relevant in all mediation processes and in this sense the question of inclusivity is as much a challenge for other mediators as it is for regional organizations.

- **Dilemmas of inclusivity:** Mediators often face a number of dilemmas in trying to ensure the inclusivity of the peace process. Two were highlighted in the discussions:

  – Mediators may be faced with a trade-off make between efficiency and inclusivity. On the one hand, they will always find negotiations easier to manage with a small number of parties around the table, usually the main belligerents. On the other, ensuring that the process is legitimate and that agreements are sustainable requires involving all interest groups in a society. To address this dilemma, mediators have to look for pragmatic solutions. Generally speaking, it is helpful to conceive of peace mediation not as a single negotiation table, but as a process with multiple actors, discussion formats, and issues, which are brought in at different periods.

  – In many recent situations (e.g. Syria, Mali, Libya, Yemen), conflict parties have been associated with groups considered as terrorists. However, it has also appeared that the differentiation among fighting groups was not always easy, and

there was not always unanimity in the international community in the designation of a group as 'terrorist'. Besides, fighting groups may be persuaded to rally a moderate line if offered another perspective meeting their political, military, or economic objectives. In such situations, inclusivity in the mediation process will require a patient preparatory effort to persuade borderline groups to rally moderate opposition positions. In this process, the mediator will have to ensure the continued support of peace process sponsors throughout.

The Swiss approach to inclusivity

Cairo meeting discussions illustrated that the profile of each mediation actor – the values, norms and commitments it is bound by – shape its approach with regards to inclusivity. The example of Switzerland was described in this regard. The belief that it is necessary to talk to all actors that have influence in a conflict setting is deeply engrained in the long-established Swiss tradition of neutrality. This means, for example, that Switzerland does not blacklist militant groups, which provides leeway to include all relevant actors in mediation processes. For organizations that proscribe certain groups, direct engagement may not be possible, but communications can be established or nurtured through other ways, e.g. backchannel contacts facilitated by NGOs.

- **The importance of addressing gender aspects:** A critical dimension of inclusivity pertains to gender aspects of peace mediation. First, it is important for mediators to gain a nuanced understanding of how conflicts affect men and women and how gender perspectives can be taken into account in peace processes. Second, the participation of women in mediation endeavours needs to be promoted, both as lead mediators and professional experts in mediation teams. As value-based organisations, international and regional organisations should play a crucial role in ensuring that peace processes they engage in adequately address these issues. These commitments go back to relevant UN Security Council resolutions on women, peace and security, beginning with Resolution 1325 (2000). They are also reflected in the *UN Guidance for Effective Mediation* and elaborated on in specialized mediation tools developed by some regional organizations.[8]

- **Involving civil society, an imperative and a challenge:** Mediators' engagement with civil society organizations and efforts to include them in peace processes are essential. Only by including the perspectives of civil society is it possible to get the full picture of what the conflict is about and to tailor responses accordingly. Civil society can also be an important ally for mediators by convincing leaders to make the necessary compromises for peace. Moreover, the implementation of a peace agreement is more likely, and spoilers less likely to gain traction if public opinion is prepared and civil society is fully on board during and after peace talks. At the same time, however, participants cautioned against viewing civil society inclusion as a magic formula for resolving conflicts. Likewise, it would be wrong to assume that civil society organizations are always an ally for peace; they may hold hardline positions and be skeptical about compromises with the other side. While engagement with civil society remains indispensable for mediators, meeting discussions shed light on the complexities of making it happen in practice. Questions of whom to include, when, and in what format, are often not straightforward to resolve and need to be addressed taking into account the specificities of each conflict.

- **Engaging powerful patrons:** The parties to an intra-state conflict invariably include neighbouring states as well as foreign powers. These countries may have influence on conflict parties. Participants in the Brussels meeting underscored the relevance of addressing these actors under the inclusivity heading and pointed to the need to actively engage them actors in any mediation processes.

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8 For example the EU's Mediation Fact Sheet on "Women's Participation and Gender" http://eeas.europa.eu/cfsp/conflict_prevention/docs/2013_eeas_mediation_support_factsheet_women_participation-and-gender_en.pdf; the OSCE Guidance Note for Enhancing Gender-Responsive Mediation http://www.osce.org/gender/107533

7. CCC in Ceasefire Mediation

CCC in ceasefire mediation had been placed on the Brussels meeting agenda due to the prominence of the issue in many contemporary conflict contexts and the complexities involved in negotiating ceasefires and ensuring their durability. A general introduction was followed by a focused discussion of South Sudan and Ukraine.

- **Agreeing on the objectives** of the ceasefire: Ceasefires are generally sought by mediators as a means to create a window of opportunity to facilitate the resolution of differences through discussions rather than violence. Ceasefire mediation usually takes place at an early stage of conflict resolution efforts, i.e. at a stage when the trust between the parties is still very low. This makes their negotiation difficult and often requires preliminary confidence-building measures or the guarantee of an international or mixed (local-international) verification mechanism. Ceasefire mediation can also be a step-by-step process as regards the geographic zone it covers. In such case, initiatives may be taken by a single actor or by different ones in parallel (e.g. local ceasefires in Syria in 2012-2014, bilateral ceasefires between armed groups and the government in Myanmar until 2013). Whilst there is unanimity that genuine peace will be associated with a comprehensive and definitive silencing of weapons on a national territory, local actors are often more willing to condone partial ceasefires as they provide a modicum of respite to their plight. When and how discrete ceasefires can aggregate into a larger agreement, and eventually a nation-wide ceasefire to underpin a peace process, remains a challenge for international mediators.

Ceasefire stakeholders

Ceasefire stakeholders are numerous, making it difficult to reach a common understanding of the objectives and to agree on them. At least four categories can be distinguished:

- **The fighting parties themselves,** and their close constituencies at local and national level, who must understand the aim and the scope of the ceasefire; this often requires dedicated communication measures towards those constituencies, from the parties themselves but also sometimes from the mediating organisation.

- **The domestic and international allies of the fighting parties.** Engagement of the mediating organisation with those stakeholders is important to test their intents and bring them on board if necessary.
- **The sponsors of the peace process,** only a small number of whom will be directly involved in the negotiation of the ceasefire, which requires confidentiality and technical expertise. Constant communication between the ceasefire mediating team and stakeholders who will support implementation is essential to ensure that the two are aligned.
- **Humanitarian actors,** often linked to organisations sponsoring the peace process, but looking at the situation from a different perspective, that of delivering aid.

- **Assessing the parties' intents:** One of the key challenges for the mediator is to assess the degree of goodwill of the parties in negotiating the ceasefire. The parties may be pressed by the international community to sign a ceasefire, but their willingness to implement the agreement may be limited. A dilemma for the mediator in such situations in which the will of the parties to commit to a ceasefire is weak, is to weigh the benefits of signing an early agreement in the hope of decreasing violence somewhat, but with the risk of violations, or to continue engaging until the commitment becomes genuine.

- **Linkages and sequencing:** from the ceasefire to the broader peace process. How and when to progress from a ceasefire to a broader peace process is a core issue. There is no blueprint, but the following elements need to be taken into consideration:

  – Even if some ceasefires may be tactical, the fighting parties have taken up arms to pursue political aims. Without some sort of commitment that those aims will be taken into consideration as part of a broader peace process, fighting groups will seldom agree to a ceasefire. This means that the time span between the ceasefire agreement and the start of the broader peace process should not be too long. The longer it lasts, the more the window of opportunity created by the ceasefire diminishes and the ceasefire risks transforming into an instrument to durably freeze the conflict.

– In most situations, the negotiation of a ceasefire will immediately bring to the fore a set of issues that are extremely difficult to handle in the context of any peace process, in particular transitional justice as well as disarmament, demobilization and reintegration (DDR). These questions cannot be addressed in isolation but will need to be incorporated into a more comprehensive peace settlement. Time will be needed for all of those dimensions of the peace process to take shape and be agreed, for financial and technical resources to be mobilized to support them, for monitoring and accompanying structures to be created, etc. Again, it will not be possible to have full clarity on all aspects when the ceasefire is negotiated. However, mediators will need to have them in mind from the beginning.

- **Ceasefire implementation:** Ceasefire implementation is demanding. To be credible and sustainable, a ceasefire must, first, be sufficiently detailed and, second, be accompanied with a strong monitoring and verification regime. Such a regime is crucial as a disincentive for the parties to violate their commitments and a tool to provide objective evidence on the basis of which differences between them can be arbitrated. The verification regime requires sophisticated technical and human elements, which are often costly and difficult to access – whether they are satellite images or qualified experts. Often, they have to be provided by national or international partners of the lead mediating institution, requiring back and forth discussions in parallel with the mediation process itself.

8. Natural Resources and Conflict Mediation

The document "Natural Resources and Conflict: A guide for Mediation practitioners" is a joint product of the United Nations Department of Political Affairs (UN DPA) and the United Nations Environment Programme, designed to address:

- stand-alone natural resource disputes or disputes that form part of a larger political struggle; and

- natural resource disputes set within the context of peace negotiations.

The guide consolidates lessons from decades of hands-on experience at both the local and international levels of mediating conflicts over extractive resources, land and water, and includes eight detailed case studies underpinning its findings and recommendations. It reflects the growing recognition in recent years that land and resource disputes fuel conflict and violence when they are poorly managed or inequitably shared. It takes into account that the field combines both highly political interests and very technical aspects.

The guide emphasizes seven key messages to improve the practice of mediating disputes over natural resources (some of which are specific, whilst some other apply to any mediation endeavor):

- Context is extremely important in all cases;

- Effective mediation requires a clear and nuanced mapping of actors and interests;

- Equal access to impartial scientific and technical information about the resource in dispute is key; this often requires extensive financial means and the availability of expertise;

- Careful attention is needed to identify the stakeholders that should be engaged in a mediation process; those stakeholders may be at different levels in parallel or in sequence: local, regional, national and international;

- It is important to think of the collaborative potential of natural resources in a mediation process. Substantively, efforts should focus on maximizing shared benefits among the parties in conflict. In terms of process, they should be dedicated as much as possible to creating mechanisms for management and cooperation between them in order to establish a more resilient dispute resolution framework post-agreement;

- Diverse mediation techniques are available to overcome critical impasses and entrenched positions;

- Addressing natural resource issues in peace negotiations may not necessarily aim to resolve the problem immediately; in some situations, it should aim to create an institutional framework and momentum enabling the parties to deal with natural resource issues at a later time.

Examples were drawn upon during the meeting, such as in Guatemala where the peace agreement foresaw the creation of a joint commission on land with a third party facilitator, the long-lasting water-sharing mechanism between India and Pakistan, or the agreement on the sharing of the oil revenues between Sudan and South Sudan and the mechanisms to manage this sharing, which helped advance the peace process despite unresolved disagreements on ownership of the oil fields.

Annexes

Annex 1: Brussels Meeting Agenda

Part I
Closed session: UN, regional and subregional organisations

Wednesday, 6 May 2015

08:45 – 09:15	Registration of participants and welcome coffee

09:15 – 09:45 **Welcome and opening address by Joelle JENNY, Director, Security Policy & Conflict Prevention, European External Action Service**

Opening statements by:
– Claus NEUKIRCH, Deputy Director of the Conflict Prevention Centre for Operations Service, OSCE Secretariat
– H.E. Tarig BAKHIET, Director in Department of Political Affairs, Organisation of Islamic Cooperation
– Roxaneh BAZERGAN, Team Leader, Mediation Support Unit, United Nations

09:45 – 10:30   Introductory session

Facilitator: Joelle JENNY, Director, Security Policy & Conflict Prevention, European External Action Service

Round-table introduction of participants

10:30 – 10:45   Presentation of UN General Assembly Resolution A/RES/68/303 (2014)

A/RES/68/303 on *Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution* underlines the

important role of regional and subregional organisations in mediation, encourages closer cooperation between the UN and those organisations, as well as closer partnerships between them through dialogues, exchanges of information and lessons learned on mediation practice. As such, A/RES/68/303 provides an important context for the meeting.

Presenters: Finland and Turkey, Co-chairs of the Group of Friends of Mediation

10:45 – 11:15   Coffee break

11:15 – 13:30   Panel 1: Coherence, Coordination and Complementarity (CCC) in mediation processes

Facilitator: Laurie NATHAN, Facilitator, Director of the Centre for Mediation in Africa at the University of Pretoria

Rapporteur: H.E. Arif MAMMADOV, Head of OIC Mission to the European Union

This panel will use the case of the Central African Republic (CAR) to introduce the complexity of mediation processes involving several regional/subregional/international organisations as well as national governments, and several successive phases, each with its own CCC challenges and solutions. Following CAR, the specific cases of Georgia and Libya will be successively addressed. Each case will be introduced by a brief presentation (10-15 min), after which organisations involved in the situation will be invited to comment as a basis for floor discussion.

In all cases, remarks will be organised around the following discussion questions:

– *Leadership: is there a need for a lead mediator and who should it be? What cooperation models other than appointing a lead mediator exist?*

- *Cooperation: when there is a lead mediating organisation, how can it best be supported by other regional/international organisations?*

- *What is the appropriate division of labour between the mediating organisation and its regional/international partners?*

- **Central African Republic**
  Lead speaker: Achta AHMED SENE, COPAX Special Assistant, Economic Community of Central African States (ECCAS)

- **Georgia**
  Lead speaker: Magdalena GRONO, Political Advisor to the European Union Special Representative for the South Caucasus and the crisis in Georgia

- **North Africa/Middle East**
  Lead speaker: H.E. Fadel JAWAD, Assistant Secretary General for Political Affairs, League of Arab States

13:30 – 15:00   Lunch and bilateral exchanges

15:00 – 17:00[9]   **Panel 2: Coherence, Coordination and Complementarity: Challenges in ceasefire mediation**

Facilitator: Laurie NATHAN, Facilitator, Director of the Centre for Mediation in Africa at the University of Pretoria

Expert: Jeffrey MAPENDERE, Senior Mediation Advisor, Standby Team of Mediation Experts, Mediation Support Unit, United Nations

Rapporteur: Kirsi JOENPOLVI, Mediation Support Officer, OSCE Secretariat

Ceasefires are an important element in many peace processes, and

9 Coffee to be available during the afternoon panel. There will be no coffee break.

often a precondition set by one or several of the parties to sit at the negotiation table. Parties' agreement to a ceasefire is linked to the mediation of security arrangements, the design and implementation of verification mechanisms, often to commitments on the part of the government to specific future political and security sector reforms, etc. Success in mediating ceasefires and supporting their implementation requires knowledge and capacity from the sponsors of the peace process, and efforts to ensure the complementarity of their contributions.

Like in panel 1, successive case studies will be examined, each introduced by a brief presentation (10-15 min), after which organisations involved will be invited to comment as a basis for floor discussion. The expert will make an introductory presentation of challenges involved in mediating ceasefires and provide input into the discussion. Organisations not addressing those specific situations will be free to present their experiences in other peace processes.

In all cases, remarks will be organised around the following discussion questions:

– *Under what circumstances is it possible to establish and maintain a ceasefire in the absence of a comprehensive peace settlement?*

– *What are the opportunities and risks of mediating local ceasefires?*

– *What is the best division of labour among international/regional organisations in mediating ceasefires and ensuring subsequent implementation?*

– **South Sudan**
Lead speaker: Aleu GARANG, Coordinator, Mediation Support Unit, IGAD Secretariat

– **Ukraine**
Lead speaker: Claus NEUKIRCH, Deputy Director of the Conflict Prevention Centre for Operations Service, OSCE Secretariat

17:00 – 17:15	**Address by Joelle JENNY, Director, Security Policy & Conflict Prevention, European External Action Service**

17:15 – 17:30	Concluding observations by the Facilitator

19:30	Dinner hosted by the European Union

Thursday, 7 May 2015

09:00 – 09:40	Plenary

Moderator: Laurie NATHAN, Facilitator, Director of the Centre for Mediation in Africa at the University of Pretoria

– Introduction by the two rapporteurs on the basis of a brief overview of outcomes of the first day's discussions
– Presentation by UN DPA of the aim of the working groups, in relation to the mandate given to the UN Secretary General by UNGA Resolution A/RES/68/303 (2014)

09:40 – 11:30	**Working Group Sessions**

Three parallel working groups to discuss a set of issues that could be addressed in the Secretary General's report. The set of issues will be established based on the discussions of the first day and core topics identified by the presenters of the Resolution.

One facilitator and one rapporteur for each working group, to be chosen among the co-organisers of the meeting and independent experts

11:30 – 13:00	Plenary on Findings of the Working Groups: Proposals on Future Measures to Strengthen CCC

Moderator: Laurie NATHAN, Facilitator, Director of the Centre for Mediation in Africa at the University of Pretoria

–   Reports of the working groups
–   Plenary discussion

13:00 – 13:30	Closing observations: UN and EU

13:30 – 15:00	Lunch

Part II

Open session (15:00-17:00)
Natural Resources and Conflict Mediation

The session will include a presentation of the guidance document *Natural Resources and Conflict: A guide for Mediation Practitioners,* issued in February 2015 as part of the series of UN knowledge products intended to help mediation actors address particularly difficult thematic issues in mediation processes, and a general discussion on natural resources and mediation on the basis of compared experiences of regional/international organisations. The audience will be broadened to EU institutions, Member States representatives and relevant Brussels-based NGOs.

Moderator: Michael MILLER, Deputy Head of Division, Conflict Prevention, Peace-building and Mediation Instruments Division, European External Action Service

Panel discussion: Presentation of the Guide by

–   Michael James BROWN, Senior Natural Resources Expert, United Nations Department of Political Affairs
–   David JENSEN, Head of Environmental Cooperation for Peacebuilding, United Nations Environment Programme
–   Lessons of experience of regional/sub–regional/international organisations and Member States on challenges and solutions in tackling conflicts over natural resources in peace processes

Annex 2: Cairo Meeting Agenda

Agenda

Tuesday, 4 February 2014

20:30	WELCOME DINNER (Marriott Hotel, The Salon Vert)

Wednesday, 5 February 2014

08:30	Pick up from Marriott Hotel lobby

09:00 – 09:30	Registration

09:30 – 10:30	Welcome and opening address by Dr. Nabil El Araby, Secretary General of the League of Arab States

OPENING ADDRESSES

OSCE: H.E. Secretary General Lamberto Zannier
OIC: H.E. Ambassador Abdullah Alim
UN: H.E. Ambassador Levent Bilman

10:30 – 11:00	Tea break

11:00 – 12:30	*Panel 1:* Fundamentals of Mediation: Inclusivity

Moderator: Dr. Stephen Jackson, UN

Speakers:
Prof. Marie-Joelle Zahar, UN Mediation Standby Team of Mediation Experts
Amb. Friedrich Tanner, Swiss OSCE Chairmanship
Ms. Nita Yawanarajah, Commonwealth

12:30 – 14:00	LUNCHEON

14:00 – 15:30   *Panel 2:* Fundamentals of Mediation: Coherence, coordination and complementarity

Moderator: Dr. Claus Neukirch, OSCE Secretariat

Speakers:
Prof. Laurie Nathan, UN Academic Advisory Council
Mr. Tomas Henning, EU
Ms. Katalina Montaña, OAS

15:30 – 15:45	Tea break

15:45 – 17:00   OBSERVATIONS ON COMMON CHALLENGES

Moderator: Amb. Hesham Youssef

Discussants: Prof. Laurie Nathan and Prof. Marie-Joelle Zahar

19:30	Pick up from Marriott Hotel lobby for Cultural Programme

Thursday, 6 February 2014

08:30	Pick up from Marriott Hotel lobby

09:00 – 09:45   BACKGROUND ON THE UN GENERAL ASSEMBLY RESOLUTION ON THE ROLE OF REGIONAL ORGANIZATIONS IN MEDIATION

Moderator: Amb. Wael Al-Assad

Presenters: Representatives of Finland and Turkey (Co-chairs of the Group of Friends of Mediation)

09:45 – 11:30   WORKING GROUPS SESSIONS

Different working groups will discuss a set of issues that could be addressed in the General Assembly resolution. A set of issues will be established based on the discussions of the first day and core topics identified by Finland and Turkey. Facilitators and Rapporteurs provided by LAS, OSCE and UN.

Tea break within working group sessions.

11:30 – 12:30   PLENARY ON FINDINGS OF WORKING GROUPS

Moderator: Amb. Hesham Youssef

12:30 – 13:30   FINAL SESSION ON FUTURE MEASURES TO STRENGHTEN CO-OPERATION AND CONCLUDING REMARKS

Closing observations: UN, OIC, OSCE, LAS

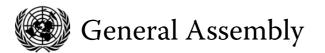## Annex 3: Recommendations of Cairo Working Groups for UNGA 68/303

The following provides a summary of the deliberations of the Cairo working groups, which were fed into the preparatory work on UNGA Resolution 68/303:

- **Complementarity:** In a given mediation process, there needs to be a clear division of labor between third parties. While the precise mechanisms of cooperation vary and need to be decided on a case-by-case basis – for example, appointing joint envoys may be suitable in one context, but not in another –, a strategic dialogue between all mediation actors is imperative.

- **Information-sharing and lessons learned:** Organizations involved in mediation are encouraged to hold regular consultations about their activities, both at the senior and the working level. The UN and regional organizations are encouraged to conduct debriefings of officials involved in mediation processes and to consider sharing these debriefings with mediation actors involved in the same context.

- **Strengthening partnerships:** In the spirit of Chapter VIII of the UN Charter, the partnership between the UN and regional organizations in the field of mediation should be strengthened. This includes a joint mapping of mediation training services and, more generally, exchanges regarding the establishment of institutional mediation-support capacities. Moreover, the UN and regional organizations should jointly stress the importance of securing predictable, sustainable and adequate funding of mediation engagements. Finally, their respective comparative advantages should be leveraged when establishing mediation teams.

- **Joint conflict analysis:** Organizations involved in mediation in a given context are encouraged to conduct joint conflict analysis, although the political sensitivities of this was noted in discussions. This fosters a nuanced understanding of the dynamics of conflict, the different perspectives of conflict parties, and the role of third parties.

- **Shared rosters:** Organizations involved in mediation are encouraged to establish shared rosters of mediation experts as well as high-level representatives elucidating who was involved in which process in the past.

- **Gender-responsive mediation:** High-level envoys and members of mediation teams are encouraged to pay particular attention to gender aspects of peace processes. In this context, regional organizations and the UN are encouraged to include qualified women in mediation processes at all levels, especially as lead mediators. Mediators should also strengthen their outreach with women's organizations in conflict societies.

- **Protecting mediation space**: Mediation organizations should be able to engage with all relevant actors in a conflict. While the different policies and approaches in terms of engaging certain groups should be respected, it is important to realize that mediation requires inclusive engagement. When engaging proscribed groups, there is a special need for coordination between third parties. On another note, regional initiatives, such as the Spanish-Moroccan Initiative, were welcomed as a way of expanding the mediation space.

- **Conflict prevention:** It is essential to recognize that mediation is a tool that can be used at all stages of the conflict cycle: before conflicts erupt, when they escalate, and after an agreement has been reached. In this context, the use of mediation to prevent conflict before they erupt is particularly important. Regional organizations and the UN are encouraged to redouble their efforts to prevent conflicts through mediation. Building national capacities and infrastructures for peace is promising in this regard and should be further promoted.

Annex 4: United Nations General Assembly Resolution 68/303 (2014)

United Nations   A/RES/68/303

General Assembly

Distr.: General
13 August 2014

Sixty-eighth session
Agenda item 33 (b)

Resolution adopted by the General Assembly on 31 July 2014
[without reference to a Main Committee (A/68/L.55 and Add.1)]

68/303. Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution

The General Assembly,

Recalling its resolutions 65/283 of 22 June 2011 and 66/291 of 13 September 2012 on strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution, and all other relevant General Assembly resolutions and Security Council resolutions and presidential statements related to mediation and to regional and subregional organizations,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of all States,

Recalling Chapter VI, including Article 33, of the Charter, and other Articles relevant to mediation, as well as Chapter VIII of the Charter and other Articles relevant to, inter alia, the role of regional and subregional organizations in mediation,

Bearing in mind its responsibilities, functions and powers under the Charter, and thus recalling all its relevant resolutions in matters related to the peaceful settlement of disputes, conflict prevention and resolution, including through mediation,

Reaffirming the respective role and authority of the General Assembly and the Security Council in the maintenance of international peace and security in accordance with the Charter,

Acknowledging the efforts of the Security Council to promote cooperation between the United Nations and regional and subregional organizations in the peaceful settlement of disputes, conflict prevention and resolution, including through mediation, and encouraging the continued cooperation between the United Nations and regional and subregional organizations, as appropriate, in accordance with the Charter,

Reaffirming its commitment to uphold the sovereign equality of all States, respect for their territorial integrity and political independence and the duty of Member States to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, and to uphold the resolution of disputes by peaceful means and in conformity with the principles of justice and international law, the right to self-determination of peoples which remain under colonial domination or foreign occupation, non-interference in the internal affairs of States, respect for human rights and fundamental freedoms, respect for the equal rights of all without distinction as to race, sex, language or religion, international cooperation in solving international problems of an economic, social, cultural or humanitarian character and the fulfilment in good faith of the obligations assumed in accordance with the Charter,

Bearing in mind that armed and other types of conflicts and terrorism, in all its forms and manifestations, and hostage-taking still persist in many parts of the world,

Recalling that the peaceful settlement of disputes, conflict prevention and resolution, in accordance with the Charter and international law, including through mediation, remain a primary responsibility of Member States without prejudice to Article 36 of the Charter,

Recognizing that responsible and credible mediation requires, inter alia, national ownership, the consent of parties to a particular dispute or conflict, the impartiality of the mediators, their compliance with agreed mandates, respect for national sovereignty, compliance with obligations of States and other relevant actors under international law, including applicable treaties, the operational preparedness, including process and substantive expertise, of the mediators, and coherence, coordination and complementarity of mediation efforts,

Emphasizing that justice and truth is a fundamental building block of sustainable peace,

Appreciating the efforts of the Secretary-General, the Member States, regional and subregional organizations and other relevant actors to promote the use of mediation, and in this regard taking note of the United Nations Guidance for Effective Mediation,[10]

Stressing the need for Member States as well as the United Nations and regional and subregional organizations to continue to improve, as appropriate, their capacities in the pacific settlement of disputes, conflict prevention and conflict resolution, including mediation, for sustainable peace,

Recalling the good offices of the Secretary-General, and appreciating his efforts to continue to strengthen United Nations mediation support capacities, in accordance with agreed mandates,

Appreciating the partnerships and cooperation between the United Nations and regional and subregional organizations in the field of mediation and the efforts of the Secretary-General to work together with regional and subregional organizations to strengthen their mediation support capacities, upon request and in accordance with agreed mandates,

Encouraging the Secretary-General to support regional efforts and initiatives by Member States, as well as regional and subregional organizations, to promote mediation and to prevent and resolve conflicts, upon request and in accordance with agreed mandates,

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10 A/66/811, annex I.

Reaffirming the role of regional and subregional organizations in the maintenance of international peace and security, in line with provisions of Chapter VIII of the Charter, and taking note of their important role as mediators, within agreed mandates, in many regions, acting with the consent of parties to a particular dispute or conflict,

Acknowledging that regional and subregional organizations can benefit mediation efforts with their specific approaches stemming from their geographic, cultural and historical proximity to, as well as information about, specific local conflict situations within their mandates, and contribute to the prevention and resolution of such conflicts,

Recognizing the importance of the equal and effective participation and the full involvement of women at all levels, at all stages and in all aspects of the peaceful settlement of disputes, conflict prevention and resolution, as well as the provision of adequate gender expertise for all mediators and their teams, noting that further efforts are necessary to appoint more women as chief or lead peace mediators, and in this context reaffirming the full and effective implementation of all relevant United Nations resolutions, including those on women, peace and security, and the Beijing Declaration and Platform for Action,[11] and furthermore welcoming the role of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in this respect,

Recognizing also national and civil society actors active in mediation, and encouraging their contributions and continued coordination to improve complementarity in mediation activities, when appropriate, in this regard,

Welcoming the increasing contribution by the African Union in efforts to settle conflicts of its members, and expressing its support for the peace initiatives conducted by the African regional and subregional organizations,

1. *Reiterates* that all Member States should strictly adhere to their obligations as laid down in the Charter of the United Nations, including in the peaceful settlement of disputes, conflict prevention and resolution;

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11 *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

2. *Welcomes* the contributions of Member States, as well as of the United Nations and of regional and subregional organizations, to mediation efforts, as appropriate;

3. *Invites* Member States, as well as the United Nations and regional and subregional organizations, as appropriate, to continue to optimize the use of mediation and other tools mentioned in Chapter VI of the Charter for the peaceful settlement of disputes, conflict prevention and resolution;

4. *Encourages* Member States, as well as the United Nations and regional and subregional organizations, to continue to develop, where appropriate, their mediation capacities in the pacific settlement of disputes, conflict prevention and conflict resolution;

5. *Also encourages* Member States, as well as the United Nations and regional and subregional organizations, to increase the awareness on the importance of mediation, as appropriate, through, inter alia, the organization of conferences, seminars and workshops, and in this regard welcomes regional initiatives to strengthen mediation in their regions, such as the "Mediation in the Mediterranean Initiative";

6. *Encourages* the use, as appropriate, of the United Nations Guidance for Effective Mediation8 in mediation efforts, in accordance with the purposes and principles enshrined in the Charter;

7. *Encourages* Member States and regional and subregional organizations to promote equal, full and effective participation of women in all forums and at all levels of the peaceful settlement of disputes, conflict prevention and resolution, particularly the decision-making level;

8. *Encourages* the Secretary-General to continue to appoint women as chief or lead mediators and as members of mediation teams in United Nations-sponsored peace processes, as well as to ensure adequate gender expertise for all United Nations processes, and invites similar efforts by Member States as well as by regional and subregional organizations;

9. *Encourages* Member States, as appropriate, to use the mediation capacities of the United Nations as well as those of regional and subregional organizations, where applicable, and to promote mediation in their bilateral and multilateral relations;

10. *Invites* all Member States to consider providing sustained political support, expertise and timely and adequate resources, including through the United Nations, for mediation and, as appropriate, for the implementation of agreed outcomes of mediation processes, in order to assure their success, as well as for mediation capacity-building activities of the United Nations and of regional and subregional organizations;

11. *Requests* the Secretary-General to continue to offer his good offices, in accordance with the Charter and relevant United Nations resolutions, and to provide mediation support, where appropriate, to special representatives and envoys of the United Nations as well as to Member States and regional and subregional organizations, upon request;

12. *Also requests* the Secretary-General to continue to work with Member States and relevant regional and subregional organizations, upon request and in accordance with agreed mandates, in mediation capacity-building for the peaceful settlement of disputes, conflict prevention and resolution, including through training events and staff exchanges;

13. *Encourages* the United Nations and regional and subregional organizations to regularly hold dialogues on mediation upon mutually agreed agendas, exchange views, information and lessons learned and improve cooperation, coordination, coherence and complementarity in specific mediation contexts, in accordance with agreed mandates and as appropriate;

14. *Stresses* the importance of partnerships and cooperation of international, regional and subregional organizations with the United Nations, with each other and with civil society, and of developing mechanisms to improve information-sharing, cooperation and coordination, in order to ensure the coherence and complementarity of efforts of actors involved in a specific mediation context;

15. *Emphasizes* the importance of facilitating interaction by mediators between concerned parties and other stakeholders, as appropriate, as well as inclusive national processes in the implementation of the agreed outcomes of mediation processes;

16. *Welcomes* the efforts of regional and subregional organizations that have developed their mediation and conflict prevention and resolution capacities, structures and policy frameworks, and encourages other interested organizations, as mandated by their member States, to make similar efforts, as appropriate;

17. *Encourages* regional and subregional organizations to appoint, as appropriate, mediation focal points and to regularly communicate their contact information to the Secretary-General, and requests the Secretary-General to maintain and share this information with Member States and regional and subregional organizations, as appropriate;

18. *Requests* the Secretary-General to submit a report to the General Assembly at its seventieth session on cooperation between the United Nations and the regional and subregional organizations on mediation, as well as possible ways to enhance such cooperation, and to hold regular briefings in order to promote closer consultation with Member States as well as regional and subregional organizations and to increase transparency;

19. *Invites* the Secretary-General to continue to brief Member States on mediation activities of the United Nations;

20. *Encourages* regional and subregional organizations to further enhance their informal thematic exchange with the Member States on mediation-related issues, as appropriate and in accordance with the Charter;

21. *Decides* to continue its consideration of the question "Strengthening the role of mediation in the peaceful settlement of disputes, conflict prevention and resolution" at its seventieth session.

105th plenary meeting
31 July 2014